

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2012 FEB 10 PM 3:49

CHERYL R. CANADY,
PLAINTIFF,

V.

SATELLITE HEALTHCARE
CENTRAL STATES, LLC,
DEFENDANT.

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CAUSE NO. A-10-CA-145-LY

ORDER

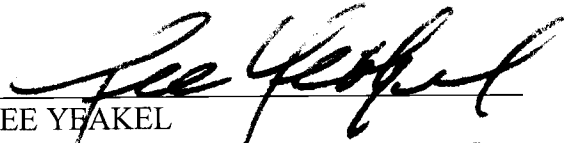
Before the court in the above styled and numbered cause is Defendant Satellite Healthcare Central States, LLC's ("Satellite") Defendant's Motion For Summary Judgment filed November 22, 2011 (Clerk's Document No. 20). Satellite seeks summary judgment on all of Plaintiff Cheryl Canady's claims contending that there is no evidence of any impermissible retaliatory or discriminatory motive surrounding Satellite's termination of Canady's employment. Additionally, Satellite contends that the summary-judgment proof establishes that Canady has continuously been disabled and unable to work since the termination of her employment and that she has no reasonable prospect of being able to return to work at any time in the future.

Canady's response was due December 5, 2011 (Clerk's Document No. 19). *See* W.D. Tex. Local R. CV-7(d) (requiring party opposed to motion to respond within eleven days of service of motion and allowing district court to grant motion as unopposed if no timely response is filed). As of the date of this order, Canady has not responded to the motion for summary judgment. Pursuant to Local Rule CV-7(d), Satellite's motion may be granted as unopposed, if review of the pleadings reveals that summary judgment is warranted. *See cf. John v. Louisiana Bd. of Trs. for State Colls. & Univs.*, 757 F.2d 698, 707-10 (5th Cir. 1985). Having reviewed the motion, the summary-

judgment proof, the case file, and the applicable law, the court finds and concludes that summary judgment in favor of Satellite is warranted with regard to all of Canady's claims.

IT IS ORDERED that Defendant Satellite Healthcare Central States, LLC's Defendant's Motion For Summary Judgment filed November 22, 2011 (Clerk's Document No. 20) is **GRANTED**.

SIGNED this 10th day of February, 2012.


LEE YEAKEL
UNITED STATES DISTRICT JUDGE